

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 1:08CR022-P-D**

**STANLEY BRANDON,**

**DEFENDANT.**

**THIRD ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendant's third Motion for Continuance [15]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for August 18, 2008. The instant motion was filed by M. Kevin Horan, Esq. wherein he states that he was recently associated as co-counsel on August 1, 2008 and requests additional time to investigate the charges against the defendant. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from August 18, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for their client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

- (1) Defendant's Motion for Continuance [15] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, October 27, 2008 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from August 18, 2008 to October 27, 2008 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is October 6, 2008; and

(5) The deadline for submitting a plea agreement is October 14, 2008.

**SO ORDERED** this the 6<sup>th</sup> day of August, A.D., 2008.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE